IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 7TH DECEMBER 2007 / 16TH AGRAHAYANA 1929

Crl.MC.No. 3665 of 2007()

CC.764/2007 OF J.F.C.M. COURT, KOTHAMANGALAM
CRIME NO.1025/07 OF KOTHAMANGALAM POLICE STATION

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PETITIONER: IST ACCUSED

PRASANTH, AGED 19 YEARS,
S/O.KRISHNAN NAIR, EMBASSERY HOUSE,
MAIKARA, RAMAMANGALAM.

BY ADV. SRI.PEEYUS A.KOTTAM

RESPONDENT: STATE & COMPLAINANT

STATE OF KERALA,
REPRESENTED BY SUB INSPECTOR OF POLICE,
KOTHAMANGALAM POLIC STATION,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

(INVESTIGATING OFFICER IN CRIME NO.1025/07 OF
KOTHAMANGALAM POLICE STATION)

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 7/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

Crl.M.C. No. 3665 OF 2007

Dated this the 7th day of December, 2007

O R D E R

The petitioner is one of the accused in CC.764/07 pending before Judicial First Class Magistrate Court, Kothamangalam. The petitioner has now secured an employment as Airman in the Indian Air Force. He has to report at Delhi on 30.12.07 to join service. If he joines service, he will not be able to come back immediately. Moreover, if a case is pending against him, it may affect his prospects in his employment. According to the petitioner, all the disputes have been settled and if the case is taken up for trial, it can be disposed of immediately. The petitioner seeks the indulgence of this court to issue an appropriate direction to the learned Magistrate to dispose of the case as expeditiously as possible, at any rate, prior to 25.12.07 to enable him to report for work and start his official career.

2. This Court in exercise the jurisdiction under Section 482 Cr.P.C. cannot prescribe the schedule for work of a subordinate court. But, in the facts and circumstances of this

case, I am satisfied that a direction can be issued to the learned Magistrate to attempt to dispose of CC.764/07 as expeditiously as possible and prior to 25.12.07, if that is possible. The petitioner undertakes to appear before the learned Magistrate with all the accused persons as also the witnesses, who are relevant, on 11.12.07.

3. The petitioner can so appear and make necessary submissions. I need only mention that the learned Magistrate must consider the request of the petitioner with compassion.

4. Hand over copy of this order to the learned counsel for the petitioner.

(R.BASANT, JUDGE)

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